

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No.: 107223.167 (US2))



Applicant(s): SANGHVI, et al.

Serial No.: 10/630,239

Filed: July 30, 2003

For: SUSTAINED RELEASE FORMULATIONS OF METFORMIN

Examiner: To Be Assigned

Group Art Unit: 1614

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria VA. 22313-1450 on the date set forth below.

1/13/03

Date

Sarah Farris

Sarah L. Farris

TRANSMITTAL LETTER

Commissioner:

Enclosed for filing in the above-identified application are the following documents:

- 1.) Information Disclosure Statement with Statement under §1.97, including 1 reference;
- 2.) Form PTO-1449;
- 3.) Copy of the International Search Report from PCT/US03/23787; and
- 4.) Return Postcard.

Please charge any deficiency or credit any overpayment in connection with this matter to Deposit account No. 08-0219.

Respectfully submitted,

Dated: 1/13/03

Emily R. Whelan
Emily R. Whelan
Registration No. 50,391

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PATENT



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Date of Signature

Sarah Farris

Sara L. Farris

**INFORMATION DISCLOSURE STATEMENT
WITH STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)**

Commissioner:

Applicant and their legal representatives hereby make of record on the attached PTO Form-1449 the following publications, which are known to them and considered warranting disclosure under 37 C.F.R. §1.56. Copies of each of these publications are enclosed.

Applicant states under 37 C.F.R. §1.97(e)(1) that the publications were cited in an International Search Report issued in connection with a counterpart Patent Cooperation Treaty application No. PCT/US03/23787 not more than three months prior to the filing of this statement. A copy of the International Search Report is also enclosed for the Examiner's review.

It is respectfully requested that the information disclosed herein be expressly considered during the prosecution of this application and that the publications be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In this regard, it is

requested that the Examiner initial and return a copy of the enclosed Form PTO-1449 with the next Patent Office Communication.

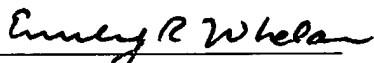
This submission does not represent that a search has been made or that information more material to the examination of the present patent application does not exist. It is understood that the Examiner will conduct an independent search of the prior art.

Furthermore, this submission does not constitute an admission that the listed documents are material to patentability or that the listed documents are prior art. If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Officer the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

This Information Disclosure Statement is being filed more than three months after the filing date of the application but before the mailing date of a first Office Action on the merits. Accordingly, no fee is believed to be due in connection with this statement. However, the Commissioner is authorized to charge any fee deficiency or credit any overpayment to Deposit Account No. 08-0219.

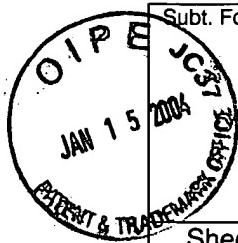
Respectfully submitted,

Date 1/13/03



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Sub. For, PTO-1449

INFORMATION DISCLOSURE
IN AN APPLICATION

(Use several sheets if necessary)

Sheet

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OF

1

Docket Number
107223.167 (US2) Application Number
10/630,239Applicant
SANGHVI, et al.Filing Date
July 30, 2003Group Art Unit
1614

U.S. Patent Documents

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,955,106	9/21/99	Moeckel, et al.	424	464	

Foreign Patent Documents

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

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EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.